

INTERNATIONAL SEARCH REPORT

International application No.

PCT/JP00/03263

A. CLASSIFICATION OF SUBJECT MATTER
Int.Cl.⁷ A23G 9/02, 9/04

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
Int.Cl.⁷ A23G 9/00-9/30

Documentation searched other than minimum: documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)
JICST FILE (JOIS), WPI/L (DIALOG), BIOSIS (DIALOG)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	Shokuhin Kogyo, Vol. 29, No. 16, the end of August, 1986, Kabushiki Kaisha Kourin. pp.46-48	1-23
A	JP, 11-137181, A (Hokkaido Prefecture), 25 May, 1999 (25.05.99) (Family: none)	1-23
A	JP, 11-103783, A (Fuji Oil Company, Limited), 20 April, 1999 (20.04.99) (Family: none)	1-23
A	JP, 6-14722, A (The Nisshin Oil Mills, Ltd.), 25 January, 1994 (25.01.94) (Family: none)	1-23
A	JP, 59-227249, A (Hanamaruki K.K.), 20 December, 1984 (20.12.84) (Family: none)	1-23
A	JP, 8-182468, A (Ezaki Gliko Co., Ltd.), 16 July, 1996 (16.07.96) (Family: none)	1-23
A	JP, 62-198358, A (Osamu HIDAKA), 03 September, 1987 (02.09.87) (Family: none)	1-23

☐ Further documents are listed in the continuation of Box C.☐ See patent family annex.

* Special categories of cited documents:	"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"A" document defining the general state of the art which is not considered to be of particular relevance	"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"E" earlier document but published on or after the international filing date	"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	"&" document member of the same patent family
"O" document referring to an oral disclosure, use, exhibition or other means	
"P" document published prior to the international filing date but later than the priority date claimed	

Date of the actual completion of the international search
12 June, 2000 (12.06.00)Date of mailing of the international search report
20 June, 2000 (20.06.00)Name and mailing address of the ISA/
Japanese Patent Office

Authorized officer

Facsimile No.

Telephone No.

国際調査報告

国際出願番号 PCT/JPO0/03263

A. 発明の属する分野の分類 (国際特許分類 (IPC))

Int. Cl⁷ A23G 9/02, 9/04

B. 調査を行った分野

調査を行った最小限資料 (国際特許分類 (IPC))

Int. Cl⁷ A23G 9/00-9/30

最小限資料以外の資料で調査を行った分野に含まれるもの

国際調査で使用した電子データベース (データベースの名称、調査に使用した用語)

JICSTファイル (JOIS), WPI/L (DIALOG), BIOSIS (DIALOG)

C. 関連すると認められる文献

引用文献の カテゴリー*	引用文献名 及び一部の箇所が関連するときは、その関連する箇所の表示	関連する 請求の範囲の番号
A	食品工業, 第29巻, 第16号, 8月下旬, 1986, 株式会社 光琳, p. 46-48	1-23
A	JP, 11-137181, A (北海道) 25. 5月. 1999 (25. 05. 99) (ファミリーなし)	1-23
A	JP, 11-103783, A (不二製油株式会社) 20. 4月. 1999 (20. 04. 99) (ファミリーなし)	1-23

☒ C欄の続きにも文献が列挙されている。☐ パテントファミリーに関する別紙を参照。

* 引用文献のカテゴリー

「A」 特に関連のある文献ではなく、一般的技術水準を示すもの

「E」 国際出願日前の出願または特許であるが、国際出願日以後に公表されたもの

「L」 優先権主張に疑義を提起する文献又は他の文献の発行日若しくは他の特別な理由を確立するために引用する文献 (理由を付す)

「O」 口頭による開示、使用、展示等に言及する文献

「P」 国際出願日前で、かつ優先権の主張の基礎となる出願

の日の後に公表された文献

「T」 国際出願日又は優先日後に公表された文献であって出願と矛盾するものではなく、発明の原理又は理論の理解のために引用するもの

「X」 特に関連のある文献であって、当該文献のみで発明の新規性又は進歩性がないと考えられるもの

「Y」 特に関連のある文献であって、当該文献と他の1以上の文献との、当業者にとって自明である組合せによって進歩性がないと考えられるもの

「&」 同一パテントファミリー文献

国際調査を完了した日

12. 06. 00

国際調査報告の発送日

20.06.00

国際調査機関の名称及びあて先

日本国特許庁 (ISA/JP)

郵便番号 100-8915

東京都千代田区霞が関三丁目4番3号

特許庁審査官 (権限のある職員)

内田 俊生

印

4N

2937

電話番号 03-3581-1101 内線 3488

国際調査報告

国際出願番号 PCT/JPO0/03263

C (続き) 関連すると認められる文献		
引用文献の カテゴリー*	引用文献名 及び一部の箇所が関連するときは、その関連する箇所の表示	関連する 請求の範囲の番号
A	JP, 5-14722, A (日清製油株式会社) 25. 1月. 1994 (25. 01. 94) (ファミリーなし)	1-23
A	JP, 59-227249, A (ハナマルキ味噌株式会社) 20. 12月. 1984 (20. 12. 84) (ファミリーなし)	1-23
A	JP, 8-182468, A (江崎グリコ株式会社) 16. 7月. 1996 (16. 07. 96) (ファミリーなし)	1-23
A	JP, 62-198358, A (日高 督) 2. 9月. 1987 (02. 09. 87) (ファミリーなし)	1-23

7T
Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference PF-2623	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/JP00/03263	International filing date (day/month/year) 22 May 2000 (22.05.00)	Priority date (day/month/year) 11 August 1999 (11.08.99)
International Patent Classification (IPC) or national classification and IPC A23G 9/02, 9/04		
Applicant SUN HONEST CO., LTD.		

<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>3</u> sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of _____ sheets.</p>	
<p>3. This report contains indications relating to the following items:</p> <p>I <input checked="" type="checkbox"/> Basis of the report</p> <p>II <input type="checkbox"/> Priority</p> <p>III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p>IV <input type="checkbox"/> Lack of unity of invention</p> <p>V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p>VI <input type="checkbox"/> Certain documents cited</p> <p>VII <input type="checkbox"/> Certain defects in the international application</p> <p>VIII <input type="checkbox"/> Certain observations on the international application</p>	

Date of submission of the demand 07 August 2000 (07.08.00)	Date of completion of this report 13 October 2000 (13.10.2000)
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/JP00/03263

I. Basis of the report

1. With regard to the elements of the international application:*

- ☒ the international application as originally filed
- ☐ the description:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the claims:
pages _____, as originally filed
pages _____, as amended (together with any statement under Article 19
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the drawings:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig. _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/JP00/03263

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-23	YES
	Claims		NO
Inventive step (IS)	Claims	1-23	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-23	YES
	Claims		NO

2. Citations and explanations

Document 1: JP, 11-137181, A (Hokkaido Prefecture), 25 May 1999 (25.05.99)

Document 2: JP, 8-182468, A (Ezaki Glico Co., Ltd.), 16 July 1996 (16.07.96)

CLAIMS 1 TO 21

The inventions described in claims 1 to 21 involve an inventive step with respect to documents 1 and 2, cited in the ISR.

Document 1 describes an ice cream containing soymilk and document 2 describes an ice cream containing sweet potatoes. The ice creams described in these documents also contain dairy products. Therefore, based on these documents, even one skilled in the art could not have arrived at the idea of manufacturing an ice cream that contains both soymilk and a species of potato but contains no dairy products whatsoever. Since the ice cream is manufactured using soymilk and a potato species as the main ingredients and contains no dairy products or chemical auxiliaries whatsoever, the ice cream exhibits the following advantageous effects: it can be consumed by those with milk allergies and the soybean smell typical of ice creams made with soymilk is eliminated by the potato species.

CLAIMS 22 AND 23

The inventions described in claims 22 and 23 involve an inventive step with respect to documents 1 and 2, cited in the ISR.

The ice creams described in claims 22 and 23 contain dairy products but they exhibit the advantageous effect of eliminating the soybean smell of the soymilk by using potatoes.

PATENT COOPERATION TREATY

PCT

NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Commissioner
US Department of Commerce
United States Patent and Trademark
Office, PCT
2011 South Clark Place Room
CP2/5C24
Arlington, VA 22202
ETATS-UNIS D'AMERIQUE

in its capacity as elected Office

Date of mailing: 22 February 2001 (22.02.01)	
International application No.: PCT/JP00/03263	Applicant's or agent's file reference: PF-2623
International filing date: 22 May 2000 (22.05.00)	Priority date: 11 August 1999 (11.08.99)
Applicant: TANAKA, Eiji	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International preliminary Examining Authority on:
07 August 2000 (07.08.00)

☐ in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was
☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No.: (41-22) 740.14.35	Authorized officer: J. Zahra Telephone No.: (41-22) 338.83.38
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